
By: **Anne Arundel County Delegation**
Introduced and read first time: January 29, 2004
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 10, 2004

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County - Wiley H. Bates High School Loan of 1997**

3 FOR the purpose of providing that the ~~grantee proceeds~~ of the Anne Arundel County
4 - Wiley H. Bates High School Loan of 1997 ~~has until June 1, 2005, to expend or~~
5 ~~encumber the loan proceeds~~ must be encumbered by the Board of Public Works
6 or expended for certain purposes by a certain date; and generally relating to the
7 Anne Arundel County - Wiley H. Bates High School Loan of 1997.

8 BY repealing and reenacting, without amendments,
9 Chapter 221 of the Acts of the General Assembly of 1997
10 Section 1(1) through (6)

11 BY adding to
12 Chapter 221 of the Acts of the General Assembly of 1997
13 Section 1(7)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Chapter 221 of the Acts of 1997**

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That:

19 (1) The Board of Public Works may borrow money and incur indebtedness on
20 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
21 County - Wiley H. Bates High School Loan of 1997 in a total principal amount equal
22 to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided in

1 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
2 and delivery of State general obligation bonds authorized by a resolution of the Board
3 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
4 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

5 (2) The bonds to evidence this loan or installments of this loan may be sold as
6 a single issue or may be consolidated and sold as part of a single issue of bonds under
7 § 8-122 of the State Finance and Procurement Article.

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
9 and first shall be applied to the payment of the expenses of issuing, selling, and
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then
11 shall be credited on the books of the Comptroller and expended, on approval by the
12 Board of Public Works, for the following public purposes, including any applicable
13 architects' and engineers' fees: as a grant to the County Executive and County Council
14 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the
15 repair, renovation, rehabilitation, reconstruction, and capital equipping, including
16 asbestos removal and other improvements to the infrastructure, of the historic Wiley
17 H. Bates High School, located in Annapolis, for use as a senior center, adult day care
18 center, gymnasium, community center, and site for specific newly formed small
19 businesses from within the community.

20 (4) An annual State tax is imposed on all assessable property in the State in
21 rate and amount sufficient to pay the principal of and interest on the bonds as and
22 when due and until paid in full. The principal shall be discharged within 15 years
23 after the date of issuance of the bonds.

24 (5) Prior to the payment of any funds under the provisions of this Act for the
25 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
26 matching fund. No part of the grantee's matching fund may be provided, either
27 directly or indirectly, from funds of the State, whether appropriated or
28 unappropriated. No part of the fund may consist of real property, in kind
29 contributions, or funds expended prior to the effective date of this Act. In case of any
30 dispute as to the amount of the matching fund or what money or assets may qualify
31 as matching funds, the Board of Public Works shall determine the matter and the
32 Board's decision is final. The grantee has until June 1, 1999, to present evidence
33 satisfactory to the Board of Public Works that a matching fund will be provided. If
34 satisfactory evidence is presented, the Board shall certify this fact and the amount of
35 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
36 amount of the matching fund shall be expended for the purposes provided in this Act.
37 Any amount of the loan in excess of the amount of the matching fund certified by the
38 Board of Public Works shall be canceled and be of no further effect.

39 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey
40 to the Maryland Historical Trust a perpetual preservation easement to the extent of
41 its interest:

42 (i) On the land or such portion of the land acceptable to the Trust;
43 and

1 (ii) On the exterior and interior, where appropriate, of the historic
2 structures.

3 (b) The easement must be in form and substance acceptable to the Trust
4 and the extent of the interest to be encumbered must be acceptable to the Trust.

5 (7) ~~THE GRANTEE HAS UNTIL JUNE 1, 2005, TO EXPEND OR ENCUMBER THE~~
6 ~~PROCEEDS OF THE LOAN. THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY~~
7 THE BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN THIS
8 ACT NO LATER THAN JUNE 1, 2005.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2004.